

**Amendments to the Abstract:**

Please replace the Abstract with the following amended Abstract:

**ABSTRACT**

A drive apparatus ~~of the present invention includes:~~ including a recording/reproduction section and a drive control section is disclosed. The drive apparatus is configured for recording data in an information recording media and for reproducing data recorded in the information recording media. The drive apparatus performs a pseudo-overwrite recording for a write-once recording medium. The drive control section receives a recording instruction including a location at which data is to be recorded and controls the recording/reproduction section to record data at a replacement location in the user data area, instead of the location included in the recording instruction. The drive control section performs a process including: receiving a recording instruction including a location at which data is to be recorded; determining a track among at least one tracks corresponding to the location included in the recording instruction; controlling the recording/reproduction section to record data at a replacement location in the user data area instead of the location included in the recording instruction; determining whether or not the recording of the data at the replacement location in the user data area has succeeded; and when the recording of the data at the replacement location in the user data area has failed, controlling the recording/reproduction section to record the data at a location in the spare area